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IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

UTILITY PATENT

Applicant: Triplett et al.

Docket No.: 29930.6117

Serial No.: 10/666,635

Art Unit: 3742

Filed: September 18, 2003

Examiner: Sang Yeop Paik

Title: METHOD AND APPARATUS FOR  
POSITIONING A WICK  
MATERIAL IN A VAPOR-  
DISPENSING

Confirmation No.: 8972

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER A PRIOR PATENT PURSUANT TO 37 C.F.R. §1.321(C)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

The sole owner of the instant application is also the sole owner of U.S. Patent Application No. 10/666,635. The foregoing patent was assigned to The Dial Corporation by way of a proper Assignment that was filed with the United States Patent and Trademark Office on September 18, 2003, a copy of which is enclosed herewith. Accordingly, the owner of the instant application, The Dial Corporation, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend it beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173, as shortened by any terminal disclaimer, of prior U.S. Patent No. 6,697,571. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of the prior patent, as shortened by any terminal disclaimer, in the event that such patent: expires for failure to pay maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

This terminal disclaimer is being signed by an officer of Applicant. The Commissioner is hereby authorized to debit \$110.00, the fee set forth in 37 C.F.R. § 1.20(d) or any other any fees which may be required or credit any overpayment, to Deposit Account No. 19-2814 **for which purpose a duplicate of this sheet is enclosed.**

Dated: April 30, 2004

Respectfully submitted,  
The Dial Corporation.

By: 

A. Kate Huffman

Its: Intellectual Property Counsel